

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Swaim et al.	)	Group Art Unit Unknown
			)	
Appl. No.	:	Unknown	)	
			)	
Filed	:	Herewith	)	
			)	
For	:	ENTERTAINMENT SYSTEM	)	
		COMPRISING SUSPENSION	)	
		PLATFORM	)	
			)	
Examiner	:	Unknown	)	
			)	
			)	
			)	

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PETITION TO MAKE SPECIAL

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.102 and M.P.E.P. § 708.02(II), Applicant hereby petitions to make the above-captioned application (the "Application") special in order to advance its examination due to actual infringement of its claims.

Applicant's attorney contends and alleges in the accompanying ATTORNEY'S DECLARATION SUPPORTING PETITION TO MAKE SPECIAL that:

1. There is an infringing device actually on the market;
2. A rigid comparison of the alleged infringing device with the claims of the Application has been made;
3. In the Applicant's Attorney's opinion, some of the claims of the Application are unquestionably infringed;
4. A careful and thorough search of the prior art has been made by the PTO in the parent application, and Applicant's Attorney has a good knowledge of that pertinent prior art.

Appl. No. : Unknown  
Filed : Herewith

Applicant submits herewith an Information Disclosure Statement including one copy of each of the references cited by the PTO in the parent application Serial No. 10/012,272, that closely relates to the subject matter encompassed by the claims of the Application.

Applicant respectfully submits that all of the requirements under M.P.E.P. § 708.02(II) to make the Application special have been satisfied and requests that this Petition be granted.

A check in the amount of \$130.00 for payment of the fee under 37 C.F.R. § 1.17(h) is enclosed. Please charge any additional fees or credit overpayment to Deposit Account No. 11-1410. A duplicate copy of this Petition is enclosed for this purpose.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 12 Nov. 2003

By: Irfan A. Lateef  
Irfan A. Lateef  
Registration No. 51,922  
Attorney of Record  
2040 Main Street, 14<sup>th</sup> Floor  
Irvine, California 92614  
(949) 760-0404

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Examiner	:	Unknown	)	
			)	
			)	
			)	

ATTORNEY'S DECLARATION SUPPORTING PETITION TO MAKE SPECIAL

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

I, Irfan A. Lateef, declare as follows:

1. I am an attorney of record in connection with the above-captioned application (the "Application").
2. On information and belief, an infringing device (the "Device"), known as the "Road Warrior Portable DVD Player Case"™, shown in the attached web pages and user guide for the Device taken from the website of Targus, is actually on the market.
3. I have made a rigid comparison of the Device with the claims of the Application.
4. In my opinion, some of the claims of the Application are unquestionably infringed.
5. A careful and thorough search of the prior art has been made by the PTO in the related, parent application Serial No. 10/021,272, and I have a good knowledge of that pertinent prior art.

**Appl. No.** : **Unknown**  
**Filed** : **Herewith**

I declare that all statements made herein of my own knowledge are true, and that all statements made upon information and belief are believed to be true, and, further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the Application, or any patent issuing therefrom.

Dated: 12 Nov. 2003

By: Irfan A. Lateef  
Irfan A. Lateef

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